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Materials On Tax Policy

Volume II

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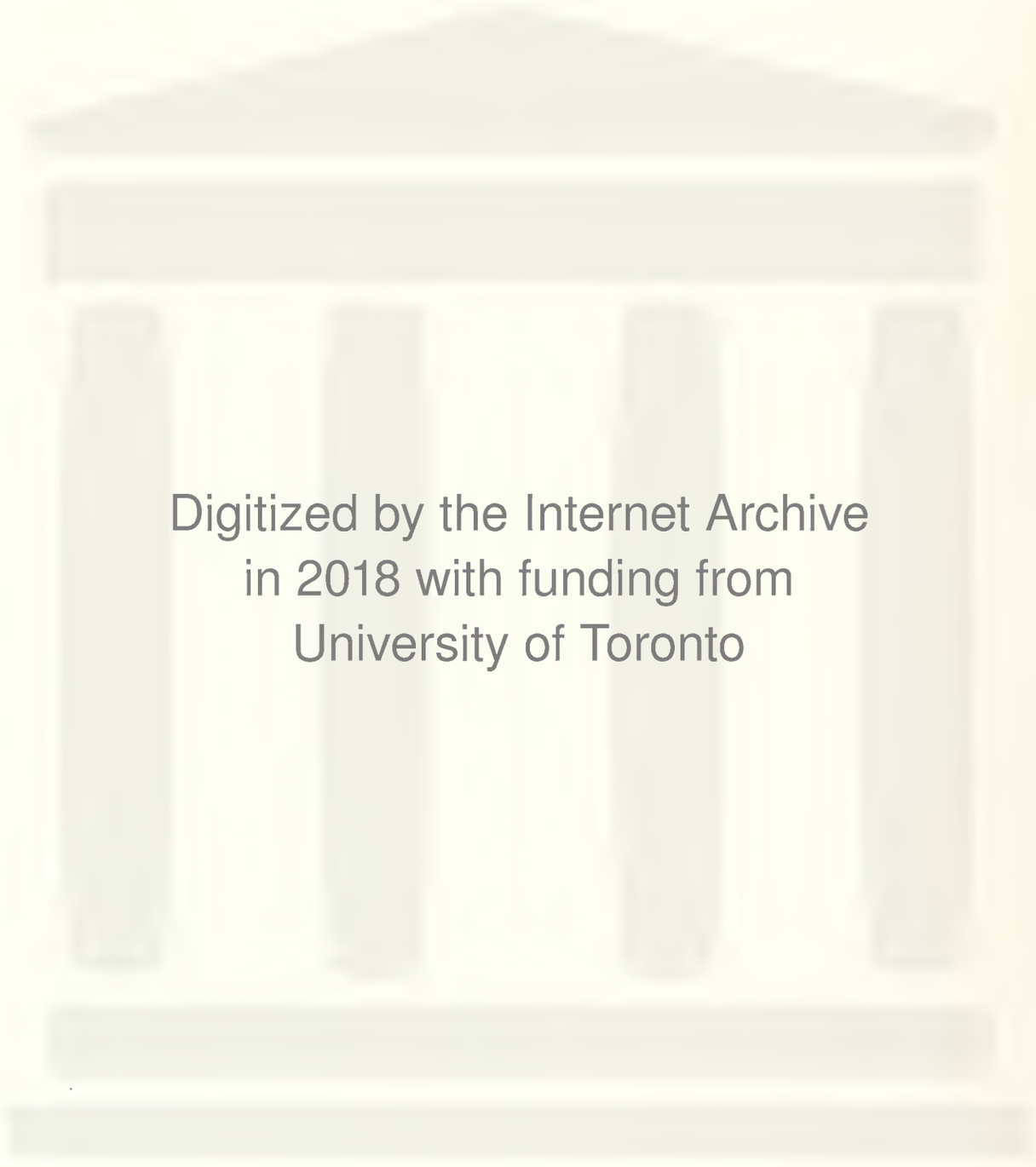
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Required Reading:

Henry C. Simons, "The Definition of Income" in *Personal Income Taxation: The Definition of Income as A Problem of Fiscal Policy*, (Chicago: University of Chicago Press, 1938), pp. 41-58.....462

Victor Thuronyi, "The Concept of Income" (1990) 46 Tax L. Rev. 45-105.....472

Classes 8-9: Inclusions

Required Reading:

Class 8

Henry C. Simons, "Income in Kind" in *Personal Income Taxation: The Definition of Income as A Problem of Fiscal Policy*, (Chicago: University of Chicago Press, 1938), pp. 110-124.....504

Maureen Maloney, "Women and the Income Tax Act: Marriage, Motherhood and Divorce" (1989), *C.J.W.L.* 182 at 192-203.....512

Thomas Chancellor, "Imputed Income and the Ideal Income Tax" (1988), 67 *Oregon L. Rev.* 561- 610.....518

William Popkin, "The Taxation of Employee Fringe Benefits" (1981), 22 *Boston College L. Rev.* 439-65.....544

Class 9

Thomas D. Griffith, "Should 'Tax Norms' Be Abandoned? Rethinking Tax Policy Analysis and the Taxation of Personal Injury Recoveries," [1993] *Wisc. L. Rev.* 1115-61.....558

David G. Duff, "Disability and the Income Tax" (2000), 47 *McGill L.J.* 3 at 78-87 ("Income Support").....582

Joseph M. Dodge, "Beyond Estate and Gift Tax Reform: Including Gifts and Bequests in Income" (1978), 91 *Harv. L. Rev.* 1177-1211.....592

Noel B. Cunningham and Deborah H. Schenk, "The Case for a Capital Gains Preference" (1993), 48 *Tax L. Rev.* 319-79. 610

Daniel Halperin, "A Capital Gains Preference is not EVEN a Second Best Solution" (1993), 48 *Tax L. Rev.* 381-91 641

Classes 10-11: Deductions, Exemptions, and Credits

Required Reading:

Class 10

David G. Duff, "Disability and the Income Tax" (2000), 47 *McGill L.J.* 3 at 10-14 ("Tax Policy and Social Policy"). 648

Wayne R. Thirsk, "Giving Credit Where Credit is Due: The Choice Between Credits and Deductions Under the Individual Income Tax in Canada" (1980), 28 *Can. Tax J.* 32-42. 653

Claire F.L. Young, "Child Care -- A Taxing Issue?" (1994), 39 *McGill Law Journal* 539-67 659

David G. Duff, "Disability and the Income Tax" (2000), 47 *McGill L.J.* 3 at 58-64 ("Child Care Expense Deduction"). 674

Class 11

Stanley A. Koppelman, "Personal Deductions Under an Ideal Income Tax" (1988), 43 *Tax L. Rev.* 679-729. 681

David G. Duff, "Charitable Contributions and the Personal Income Tax: Evaluating the Canadian Credit," in Bruce Chapman, Jim Phillips and David Stevens, eds., *Charities: Between State and Market* (Kingston: McGill-Queen's, forthcoming). 707

Jonathan Kesselman, "Credits, Exemptions, and Demogrants in Canadian Tax-Transfer Policy" (1979), 27 *Can. Tax J.* 653-88. 746

Pierre Cloutier and Bernard Fortin, "Converting Exemptions and Deductions Into Credits: An Economic Assessment" in Jack Mintz and John Whalley, *The Economic Impacts of Tax Reform*, (Toronto: Canadian Tax Foundation, 1989), pp. 45-73 765

David G. Duff, "Disability and the Income Tax" (2000), 47 *McGill L.J.* 3 at 51-58 ("Personal Tax Credits"). 780

Classes 12-13: Timing Issues

Required Reading:

Class 12

Daniel N. Shaviro, "An Efficiency Analysis of Realisation and Recognition Rules Under the Federal Income Tax" (1992), 48 *Tax L. Rev.* 1-68. 789

Cecily W. Rock and Daniel N. Shaviro, "Passive Losses and the Improvement of Net Income Measurement" (1987), 7 *Va. Tax Rev.* 1-55. 824

Class 13

William A. Klein, "Timing in Personal Taxation" (1977), 6 *J. Leg. Stud.* 461-81 852

Lawrence Zelenak, "The Reification of Metaphor: Income Taxes, Consumption and Human Capital" (1995), 51 *Tax L. Rev.* 1-34. 863

Joseph M Dodge, "Taxing Human Capital Acquisition Costs – Or Why Costs of Higher Education Should Not Be Deducted or Amortized" (1993), 54 *Ohio St. L.J.* 927-84 881

Neil Bruce, "Ability to Pay and Comprehensive Income Taxation: Annual or Lifetime Basis?" in W. Neil Brooks, *The Quest for Tax Reform: The Royal Commission on Taxation Twenty Years Later*, (Toronto: Carswell, 1988) 157-65. 911

Russell Krelove and Samual A. Rea, Jr., "Private Pensions and the Tax System: Twenty Years After the Carter Commission" in W. Neil Brooks, *The Quest for Tax Reform: The Royal Commission on Taxation Twenty Years Later*, (Toronto: Carswell, 1988) 121-35. 916

Barbara Austin, "Policies, Preferences, and Perversions in the Tax-Assisted Retirement Savings System" (1996), 41 *McGill L.J.* 571-94 924